

House File 206 - Introduced

HOUSE FILE 206

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 67)

A BILL FOR

- 1 An Act relating to the assessment of property containing
- 2 certain aboveground storage tanks and including effective
- 3 date and retroactive applicability provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 427A.1, Code 2023, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 6A. Notwithstanding the other provisions
4 of this section, aboveground storage tanks of any size that are
5 not attached within the meaning of subsection 3 shall not be
6 assessed and taxed as real property.

7 Sec. 2. IMPLEMENTATION. Section 25B.7 shall not apply to
8 this Act.

9 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
10 importance, takes effect upon enactment.

11 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies
12 retroactively to assessment years beginning on or after January
13 1, 2023.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 Code section 427A.1 specifies that for the purposes of
18 property taxation only, certain property shall be assessed
19 and taxed, unless otherwise qualified for exemption, as real
20 property, including buildings, structures, or improvements, any
21 of which are constructed on or in the land, attached to the
22 land, or placed upon a foundation whether or not attached to
23 the foundation. However, property is not "attached" if it is
24 a kind of property which would ordinarily be removed when the
25 owner of the property moves to another location.

26 This bill provides that aboveground storage tanks of any
27 size that would ordinarily be removed when the owner of the
28 property moves to another location shall not be assessed and
29 taxed as real property.

30 The bill makes inapplicable Code section 25B.7. Code
31 section 25B.7 provides that for a property tax credit or
32 exemption enacted on or after January 1, 1997, if a state
33 appropriation made to fund the credit or exemption is not
34 sufficient to fully fund the credit or exemption, the political
35 subdivision shall be required to extend to the taxpayer only

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1 that portion of the credit or exemption estimated by the
2 department of revenue to be funded by the state appropriation.
3 The bill takes effect upon enactment and applies
4 retroactively to assessment years beginning on or after January
5 1, 2023.